

**CITY OF MILWAUKIE
CITY COUNCIL WORK SESSION
AUGUST 14, 2000**

The work session came to order at 6:00 p.m. in the Milwaukie City Hall Conference Room, 10722 SE Main Street.

Council present: Mayor Tomei and Councilors King, Lancaster, Marshall, and Newman.

Staff Present: Assistant City Managers Bennett and Richards, Neighborhood Services Manager Gregory, Planning Director Rouyer, Police Chief Kanzler, and Public Works Director Stepan.

Open Forum

Jean Michel discussed alternatives for retrofitting the Milwaukie Jr. High School after the City purchases it. He indicated there is a local business person who might be willing to partner in some activities. This influential person does, however, want to know the business plan before helping raise money or becoming otherwise involved.

Councilor Marshall commented most prudent business people have a strategic plan for these types of projects.

Ed Zumwalt spoke regarding the Milwaukie Jr. High School property. At one point the public was told the School District would not vacate the facility until 2002. This would give the City time to look for prospective tenants. Councilor Marshall stated the Council was listening to what the public wants done with the site and is moving forward. In May 2000, the City Council adopted a resolution declaring its intent to acquire the property for parks and open spaces. The City Council met with the School District Board to negotiate the purchase, but nothing has been made public.

In mid-July, certain residents were invited to meet with the City Council to discuss funding the purchase. Councilor Marshall now says the property is too expensive. Council is blaming others and is in denial about the building's distinctive architectural style, location, and history. City Council should accept its share of the blame because of its lack of leadership and the mixed signals it is sending Milwaukie citizens.

If the Council expects support for the bond, it needs to make a commitment and assure the public the building and fields will be used for a community center and sports. Right now, the trust level is almost non-existent. He suggested rezoning

the Jr. High property along with the rest of downtown. He agreed with those who said this was "double dipping" since the taxpayers bought the property for the school in the first place.

Councilor Marshall felt his comments were taken out of context.

Councilor King said this Council was committed to acquiring the Jr. High property. She was frustrated with the misconceptions and concerned these would stand in the way of people trusting each other.

Zumwalt observed no activity for several months, and he was concerned something was going wrong. The Council seemed to be taking a sudden change in direction.

John Denny asked what had happened to the tenants task force proposal.

Councilor Marshall responded the task force is not relevant at this time.

Councilor King said the City cannot pass a bond measure without help from Kids First. Kids First, however, said it would not support any money measure. The City of Milwaukie is faced with shortfalls, and it needs to look carefully at its programs and budget. The City Council agreed the property could not be purchased from the existing budget, so it is proposing a bond measure.

Zumwalt would like to be positive, but the City Council needs to make a commitment and do whatever it takes to pass the measure.

Councilor Marshall said people need to go out in the community and knock on doors. Zumwalt's comments give the perception there were project timelines, but this is a dynamic process. He always believed the best part of the property was the park and open space. The fact he said the property would be a tremendous financial obligation for the City to take on was a statement of fact. It would be so even if the District gave the property to the City.

Zumwalt added the \$3.25 million selling price will be ribbon clerk money in the future, so the City needs to find funding. The City Council must be engaged to keep this vital part of the community.

Councilor Marshall said the City Council is the facilitator, but the community needs to show it wants the property.

Bonnie Petty, Kids First, clarified earlier comments. The organization said it would not support a bond measure until all other avenues were exhausted. The City Council did not identify any alternate funding. Kids First waited for three months, and there was no response until July 22 when the City Council told a small group of people it had found no alternatives. Funding was up to the

community. It is clear the City Council or City cannot or will not purchase the property. If she knocks on doors to get supporters, she expects the City Council and School Board to do the same.

Councilor Marshall suggested Kids First talk to the School Board. It is clear the land and building will not simply be handed over to the City.

Petty said Kids First went to the District before talking to the City and were told language referring to the sale of the property was included in its earlier bond measure.

Councilor Marshall said the City has money to make one payment. The money simply is not there to purchase the property.

Councilor King added the City would have to eliminate the police department, for example, to purchase the site.

Mayor Tomei did not understand how the notion got started the City Council would not support the bond.

Zumwalt said there was a three month period during which nothing seemed to happen. He urged working together and trying for \$3.5 million.

Denny commented he was not invited to the July 22 meeting, and **Councilor King** said Joe Loomis was there on behalf of Kids First.

Councilor Marshall added there is still time to build support for the bond.

John Hackett, Milwaukie Glass, believed a large number of citizens were at odds with the City Council, City administration, and the Milwaukie Downtown Development Association (MDDA). There is a consensus for accountability, and some Councilors and MDDA representatives do not seem to represent the best interests of the taxpayers. A handful of MDDA members are self serving and use their positions for their own personal gains. He felt obligated to pursue the best interests of taxpayers and asked the City Council and MDDA to consider the following: entire MDDA board and director resign immediately until the City funds an independent audit of the MDDA, Festival Daze, and Bing Cherry Festival books for the past ten years. He recommended Gregory recruit Neighborhood District Association (NDA) members to run the MDDA during the audit. He recommended Tomei take a leave of absence from her mayoral duties and refrain from contacting any MDDA members until the audit is done.

Hackett received a letter dated August 9, 2000, from Jim Bernard's attorney telling him to cease and desist or be sued for slander. He has slandered no one, and he will not let go of the issue. Some MDDA members and the City Council do not find him creditable because he has not gone before the MDDA board to

resolve the issues. He said that was nonsense because bringing issues to the table is his nature. He offered to cater a meeting at the Public Safety Building with the City Council, City staff, the MDDA Board, and current and former Association directors to discuss issues face to face. He wanted this meeting as soon as possible. He tried a similar meeting over a year ago, but few people attended.

Hackett did not wish to provide his written comments. **Councilor Lancaster** agreed to stay in contact with Hackett.

Setting Priorities

In response to Council's direction, staff reported on mandated programs, major policy projects, community goals, and general use of time.

Richards reported:

20%	Parks, open spaces and trails (goal)
2%	Neighborhoods (goal)
2%	Recycling and cable television (program)
3%	Library (program)
23%	Administrative support for programs
50%	Human resources (mandates and organization needs)

Councilor Newman asked if the time spent on land acquisition would diminish, and **Richards** said she would anticipate a reduction.

Gregory reported:

Policy driven:	Neighborhood support and assistance Grant program maintenance Public information (<i>Pilot</i> , cable, web, press releases) Code compliance and enforcement Research, facilitation and general outreach
Indirect policy support:	Interagency activities including Metro South Corridor Study and Kellogg Creek Study Event permits Daily information requests Budget management Supervisory activities Staff recruitment Management Team

Kanzler reported:

He spends about one hour per month on Council goals with the majority of his time spent on supervising his department.

Bennett reported:

Policy driven: Downtown Plan catalyst projects (transit center, parking, McLoughlin Boulevard project)
South Corridor Study
Sewage Treatment Plan relocation
Interagency cooperation (Oak Lodge, Clackamas River Water)
Building inspection
Endangered Species Act (ESA) response (Title 3, fleet and operations projects and management practices, Johnson Creek Watershed)

Rouyer reported:

Policy-driven: Urban Forestry
Downtown/Riverfront Plan
Transportation Impact code relating to new development (TGM Grant)
Metro Functional Plan Compliance (regional mandate)

Stepan reported on the four major work areas -- water, sanitary sewer, streets, and stormwater -- and engineering which plans and designs Capital Improvement Plan (CIP) projects:

Policy-driven: Kellogg Lake/Dam Study
Water Master Plan (working with CUAB)
Street maintenance funding (at Budget Committee direction)
Consumption-based sewer rates to replace current flat fee (Council direction)
55th Avenue lift station and "unsewered area" annexation (property owner request)

Mayor Tomei asked how much time was spent on maintenance.

Stepan responded there are three operations supervisors each with five or six maintenance workers in the field. The inspector responds to code enforcement questions. In addition to coordinating the engineers' work, she also responds to customer complaints.

Bartlett reported:

0%	Community livability (goal)
10%	Downtown and riverfront (goal)
5%	Boards, commissions, neighborhoods (goal)
8%	Council meeting coordination
15%	Supervision

10%	Intergovernmental
25%	Call, e-mail, voice-mail
5%	Other (vacation, sick, training)
22%	Mandates (budget, monitoring, compliance, reporting)

Councilor Newman understood the purpose of the work session was to re-prioritize the community goals based on exterior pressures.

Councilor Marshall asked for a comparison of the benefits of participating versus the liabilities of not participating in projects such as the Metro South Corridor Study, building issues, transportation code impact revisions, Metro Functional Plan compliance, and the water master plan.

Bennett said the City has a lot at stake in the South Corridor Study since all options converge in downtown Milwaukie. The risk of non-participation is having something take place in the downtown area the residents do not want. Milwaukie sits between two huge entities -- the City of Portland and Clackamas County -- whose greatest desire is to get people to Clackamas Town Center at all costs. This could crush the City if it does not actively participate in the process.

Councilor Newman noted each of the working group has a Milwaukie member and understood the IGA authorized reimbursement for staff time.

Bennett is weighing the benefits of continuing to offer the building program, transferring it to Clackamas County, or assuming other parts of the program. If the program were turned over to the County, Milwaukie would lose assurances its conditions of approval are met at the time of construction.

Councilor Marshall noted arguments can be made for continuing all programs.

Councilor Lancaster asked what was absolutely necessary to continue.

Gregory thought time allocations could be evaluated. She agreed South Metro was important, and it is important to Metro that Milwaukie is satisfied. She understood Metro must consult with Milwaukie on any recommendations, and perhaps staff could spend less time on coordination.

Councilor Marshall asked how many responsibilities could be taken on by an advisory board or citizen group.

Councilor Newman commented staff has to maintain some level of involvement to provide groups, such as the urban forestry ad hoc committee, with technical and support services.

Bennett added ad hoc committees cannot be expected to write code and members need to have a sense of closure in their projects.

Richards commented there were already things not getting done because of funding and staffing limitations. If projects are delegated, staff still needs to provide support and follow up.

Councilor Marshall saw a lot of departmental cross over and asked how much time was spent interacting on projects. He noted Milwaukie devotes a lot of time on regional activities.

Richards said communication is part of management's responsibility.

Councilor Lancaster intended to reduce the work load, but it seems as if everything should be continued.

Councilor Newman thought the City Council should prioritize the community goals.

Gregory suggested instead of deleting items, establish timelines to better organize the work. There is value in seeing what can be accomplished toward the established goals.

Councilor King thought the City Council should evaluate the community goals.

Councilor Marshall said the Council needs to be sensitive to the community and bring them along on projects such as the urban forestry program.

Councilor Lancaster agreed the processes need to include appropriate citizen involvement.

Richards commented there are so many issues, the community is getting fragmented.

Rouyer suggested the City Council be strategic when assigning ad hoc committees because a lot of staff time goes into preparation.

Councilor Marshall referred to the August 12 work session discussion about training residents so there is a core group of people with basic knowledge of the City and its government. This could be the pool of trained people from which to draw ad hoc committee members.

Community Goals

Councilor Marshall asked if it was appropriate to discuss what basic services the City should provide.

Mayor Tomei understood staff to say it would be helpful for the Council to prioritize the community goals and determine if any could be delayed.

Gregory suggested putting together a quick, short term priority list until the internal and external analysis is complete.

Councilor Lancaster felt the city could delay the urban forestry program.

Rouyer said the greatest controversy with the ordinance had to do with regulating private property.

Mayor Tomei suggested adopting the non-controversial portions of the urban forestry ordinance in September.

Bennett said the planners are working on getting the downtown plan adopted in August or September and suggested holding off on the urban forestry ordinance until the end of the year.

Councilor King pointed out Council invited people to participate on an urban forestry ad hoc committee, and she was concerned about putting it off.

Mayor Tomei commented the only thing currently on the books was the interim ordinance related to trees in the public right-of-way.

Rouyer said some action needs to be taken on September 19 since it was the date certain established at the last hearing. Staff has also recruited several ad hoc committee members. She will hire two planners this fall and will spend time training the new staff.

Mayor Tomei and **Councilor Marshall** thought the proposed ordinance was good. The ad hoc committee could make a recommendation on private property concerns.

Rouyer suggested appointing the ad hoc committee members in September and scheduling the first meeting for January 2001. Most of the committee work will be done in a group process rather than through research.

The City Council reached consensus on postponing the urban forestry project until January 2001.

Rouyer will review time allocations on the zoning and subdivision ordinance when the new planners are hired and trained. Work will continue on the transportation impact code revision because of the TGM grant funding. There will be a recommendation in the downtown plan to change the Historic Resources Commission to the Design and Landmarks Commission as well as streetscape plan consideration.

Richards reported work on open space, park, and trail properties was progressing.

Bennett reported on the goal of relocating the Kellogg Treatment Plant. There will be a report this fall indicating staff level negotiations have disintegrated. She recommended the City make a presentation on the downtown plan to the County Commissioners to facilitate a policy maker discussion.

Councilor Marshall felt creating a citizen involvement board was the highest priority goal and suggested this could fit well with a training program similar to the Martin County, Florida, model.

Gregory thought a citizen involvement board might not be necessary to begin the program. If the City Council wishes to have a pool of interested citizens to tape into, another regulatory tool might not be needed. She recommended taking the neighborhood vision action plan and funding proposals to the quarterly leadership meeting. She discussed the role of the new neighborhood services position in volunteer coordination and grant program administration.

The group discussed how interconnected staff activities were, and Council agreed not to add anything new.

Members agreed code enforcement activities had improved greatly and were at a satisfactory level. **Councilor Marshall** did not believe anything needed to be done about downtown parking. **Richards** said, through an arrangement with public works, a temporary employee is currently doing parking enforcement 20 hours per week. **Councilor Lancaster** thought the MDDA should take on downtown parking enforcement.

The City Council reached consensus to videotape all work sessions.

Richards added it was easier from an equipment standpoint to hold the work sessions at City Hall instead of the Public Safety Building.

Councilor King thought the City Council should heed the public comments about the July 22 Conversation and learn from the experience.

It was moved by Councilor King and seconded by Councilor Newman to adjourn the work session. Motion passed unanimously.

Mayor Tomei adjourned the work session at 8:45 p.m.

Pat DuVal, Recorder